

Formal Council Meeting Agenda



**Tempe City Council
Formal Council Meeting
Harry E. Mitchell Government Center
Tempe City Hall - City Council Chambers
31 East Fifth Street, Tempe, Arizona
Thursday, November 07, 2013
7:30 PM**

Members of the City Council may attend either in person or by telephone conference call.

- 1. INVOCATION - Councilmember Arredondo-Savage**
- 2. PLEDGE OF ALLEGIANCE**
- 3. MINUTES - Councilmember Navarro**
 - A. Approval of Council Meeting and Council Committee Meeting Minutes
 1. [Formal City Council Meeting - October 24, 2013](#)
 2. Executive Session - October 14, 2013 and October 24, 2013
 3. [Tempe City Council and Tempe Chamber of Commerce Joint Meeting - September 30, 2013](#)
 - B. Acceptance of Committee, Board & Commission Meeting Minutes
 1. [Mayor's Youth Advisory Commission - October 1, 2013](#)
- 4. REPORTS AND ANNOUNCEMENTS**
 - A. Mayor's Announcements
 1. **"Thank a Veteran" Proclamation**
 - B. Manager's Announcements
- 5. AGENDA**

All items listed on the agenda will be considered as a group and will be enacted with one motion by the City Council unless an item is removed for separate consideration. Members of the public may remove public hearing items for separate consideration. Public hearing items are designated by an asterisk (*). Councilmembers may remove any item for separate consideration.

Agenda items scheduled for Introduction/First Public Hearing will be heard, but will not be voted upon at this meeting. Items scheduled for Second Public Hearing/Final Adoption will be voted upon tonight.

'q-j' indicates quasi-judicial items. The City Council sits as a quasi-judicial body when hearing variances. In this situation, the City Council must conduct itself as a court, not as a legislative body. Pre-meeting contact with the City Council on quasi-judicial matters is prohibited. Any materials or conversations concerning the item shall only be presented to the City Council at the scheduled public hearing.

Legal Advice: If necessary, the City Council may vote to adjourn to executive session for the purpose of obtaining legal advice from the Council's attorney on any matter listed on the agenda pursuant to A.R.S §38-431.03(A)(3).

A. Miscellaneous Items

- A1.** [Approve the September 2013 Report of Claims Paid to be filed for audit.](#)

Fiscal Impact: Total payments in September: \$13,264,417.54

- A2.** [Approve a grant agreement with AARP Experience Corps to accept and disburse a federal grant for the provision of the Tempe AARP Experience Corps Program.](#)

Fiscal Impact: The amount of the grant award from November 1, 2013 through September 30, 2015 is \$142,160. Sufficient budget appropriations for expenditure of this grant were authorized in the Governmental Grants and Donations Fund (Fund 46) as part of the fiscal year 2013-14 adopted budget.

- A3.** [Approve an Amended Subdivision Plat for HANOVER MILL AVENUE, located at 101 West 5th Street. The applicant is Rick Engineering Company.](#)

Fiscal Impact: There is no fiscal impact on City funds.

- *A4.** [Hold a public hearing to recommend the approval of an acquisition of control and agent change of a Series 10 beer and wine store liquor license for CST Arizona Stations, Inc., dba Corner Store #1619, 480 West Warner Road.](#)

Fiscal Impact: N/A

- *A5.** [Hold a public hearing to recommend the approval of an acquisition of control and agent change of a Series 10 beer and wine store liquor license for CST Arizona Stations, Inc., dba Valero Corner Store #1653, 7550 South Rural Road.](#)

Fiscal Impact: N/A

- *A6.** [Hold a public hearing to recommend the approval of a Series 12 restaurant liquor license for Picazzo's Tempe LLC, dba Picazzo's Organic Italian Kitchen, 440 West Warner Road, Suite 101-102.](#)

Fiscal Impact: N/A

- *A7.** [Hold a public hearing to recommend the approval of a Series 12 restaurant liquor license for Steak N Shake Signature Tempe, LLC, dba Steak N Shake, 699 South Mill Avenue, Suite 119.](#)

Fiscal Impact: N/A

B. Award of Bids/Contracts

- B1.** [Approve the utilization of a State of Arizona contract with Arizona Office Technologies for a five-year lease of a new wide format digital printer and scanner for the Public Works Department.](#)

Fiscal Impact: Total amount of this contract will not exceed \$141,082 during the 5-year lease term. Sufficient funds have been appropriated in cost center 3225 (General Fund) for the anticipated expenditures during the fiscal year.

- B2.** [Approve the utilization of a ten-month Mohave Educational Services Cooperative contract with Logicalis, Inc. for the purchase of voice over internet protocol, data networking equipment, and related services that are used by various City departments.](#)

Fiscal Impact: Total cost of this contract will not exceed \$75,000 during the ten-month contract period. Sufficient funds have been appropriated in various funds and cost centers City-wide for the anticipated expenditures in the current fiscal year.

- B3.** [Approve the renewal of a one-year contract with Arizona Elevator Solutions for the inspection, testing, certification, and repair of City elevators and lifts utilized by the Public Works Department.](#)

Fiscal Impact: Total cost of this contract will not exceed \$100,000 during the one year renewal period. Sufficient funds have been appropriated in the General Fund – cost center 3241 – for the anticipated expenditures in the current fiscal year.

- B4.** [Approve the utilization of a one-year City of Glendale contract with Badger Meter, Inc. for the purchase of five-eighths inches through two inches lead free residential water meters for the Public Works Department.](#)

Fiscal Impact: Total cost of the one-year contract will not exceed \$500,000. Sufficient funds have been appropriated in cost centers 3299999, 3209319 (Water/Wastewater Capital Improvement Project Fund), and 3022 (Water/Wastewater Fund) for the anticipated expenditures in the current fiscal year.

- B5.** [Award an eight-month contract with four, one-year renewal options to The Hays Group who will provide consulting service related to employee benefits provided by the City and administered by the Human Resources Department.](#)

Fiscal Impact: The total cost of the initial twenty month contract period will not exceed \$125,000. Sufficient funds have been appropriated in the Health Fund – cost center 4167 – for the anticipated expenditures in the current fiscal year. The initial contract period was set at eight months to coincide with the fiscal year cycle of health related contracts awarded by the City.

- B6.** [Award three-year contracts with two, one-year renewal options to OverDrive, Inc. and Baker & Taylor, Inc. for the purchase and delivery of eBook and downloadable eAudiobook content and delivery services for the Tempe Public Library.](#)

Fiscal Impact: Total cost of these contracts shall not exceed \$600,000 during the three-year contract period. Sufficient funds have been appropriated in cost center 2440 (General Fund) for the anticipated expenditures in the current fiscal year.

- B7. [Award two-year contracts with three, one-year renewal options to Gruen Gruen & Associates LLC, Elliott D. Pollack and Company Consulting LLC, and ECONorthwest for economic development consulting services to be used primarily by the Community Development Department.](#)

Fiscal Impact: Total combined cost of these contracts shall not exceed \$60,000 during the two-year contract period. Sufficient funds have been appropriated in cost centers 2710 and 2712 (General Fund) for the anticipated expenditures in the current fiscal year.

- B8. [Award one-year contracts with two, two-year renewal options to Foster Electric Motor Service, Keller Electrical Industries, Inc., and Precision Electric Company, Inc. for the maintenance, repair, and purchase of electric motors for the Public Works Department.](#)

Fiscal Impact: Total combined cost of the one-year contracts will not exceed \$300,000. Sufficient funds have been appropriated in cost centers 3013, 3014, 3015, and 3016 (Water/Wastewater Fund) for the anticipated expenditures during the current fiscal year.

- B9. [Award two-year contracts with two, two-year renewal options to Foster Electric Motor Service, Inc., and Weber Water Resources, LLC., for the maintenance, repair, and purchase of large capacity vertical turbine water pumps for the Public Works Department.](#)

Fiscal Impact: Total combined cost of the two-year contracts will not exceed \$600,000. Sufficient funds have been appropriated in cost centers 3013, 3014, 3015, and 3016 (Water/Wastewater Fund) for the anticipated expenditures during the current fiscal year.

- B10. [Award a professional services contract to Parsons Brinckerhoff, Inc. for design of Broadway Road pedestrian and bicycle improvements from Rural Road to Mill Avenue.](#)

Fiscal Impact: Total contract amount is the sum of \$448,439. Funds to cover this design contract and related costs are appropriated for fiscal year 2013/14 in Capital Improvement Project No. 6003059, Broadway Road Streetscape.

- B11. [Approve the agreement between World Triathlon Corporation, Tempe Tourism Office, and the City of Tempe for the City to host the Ironman Arizona Triathlon, extending the Agreement for an additional five years, beginning with the November 2014 race.](#)

Fiscal Impact: The fiscal impact to the City is approximately \$137,837 annually in combined cash and City services. A payment of \$50,000 from cost center 2522 will be made by the City of Tempe on a yearly basis during the term of this Agreement. In-kind City of Tempe services valued at \$87,837 are met through participating departments' cost centers (Recreation 2522, Solid Waste 3711, Tempe Police 2276, Tempe Fire 2340, Traffic Operations 3826, and Custodial 3271).

- B12. [Award a Construction Manager at Risk construction services contract with PCL Construction, Inc. for replacement of the Tempe Town Lake Downstream Dam.](#)

Fiscal Impact: The Construction Manager at Risk construction services contract amount is \$23,841,521, and the project contingency amount is \$1,192,076. Fiscal year 2013/14 appropriations in the amount of \$17,171,330 to pay for costs associated with the contract are authorized in Capital Improvement Project No. 6504229, Town Lake Dam Replacement. While staff estimates total expenditures under the contract will approximate the contract amount, total contract expenditures within the current

fiscal year are not anticipated to exceed fiscal year 2013/14 project appropriations. The remaining contract expenditures will occur in fiscal year 2014/15; at which time \$23,611,851 of additional project appropriations will be available in the adopted five-year Capital Improvement Program, based upon direction received by Council to date, and subject to and contingent upon future appropriation by the Mayor and Council. The total budgeted cost for the Town Lake Downstream Dam Replacement project is \$40,783,181.

C. Ordinances and Items for Introduction/First Hearing - These items will have two public hearings before final Council action

- *C1. [Introduce and hold the first public hearing to adopt an ordinance for an Amended Planned Area Development Overlay for LPC SOUTHBANK, located at 1190 East Vista Del Lago Drive. The applicant is Snell & Wilmer LLP. The second and final public hearing is scheduled for November 21, 2013. \(Ordinance No. 2013.57\) \(This item was continued from the October 24, 2013 Formal Council Meeting at the request of the Applicant\)](#)

Fiscal Impact: While this ordinance change does not directly impact revenue, the planned development will result in collection of the standard development fees, calculated according to the approved fee structure at the time of permit issuance.

- *C2. [Introduce and hold the first public hearing to adopt a resolution adopting a new GENERAL PLAN 2040 replacing General Plan 2030. The second and final public hearing is scheduled for November 21, 2013. \(Resolution No. 2013.122\)](#)

Fiscal Impact: There is no fiscal impact on City funds.

D. Ordinances and Items for Second Hearing/Final Adoption

- *D1. [Hold the second and final public hearing to adopt an ordinance authorizing the partial abandonment of a storm drainage easement located near 2150 East Warner Road at Arizona State University Research Park. \(Ordinance No. 2013.54\)](#)

Fiscal Impact: No impact to City funds.

- *D2. [Hold the second and final public hearing to adopt an ordinance authorizing the abandonment of a portion of the southern alignment of the Fifth Street right-of-way, between Ash Avenue and Maple Avenue, and authorizing the conveyance of the abandoned right-of-way to Mill Avenue Apartments Limited Partnership. \(Ordinance No. 2013.55\)](#)

Fiscal Impact: The developer will pay all costs of the abandonment and relocation of existing utilities, including paying the City \$58.22 per square foot for the 2,181 square feet of real property contained within the area being conveyed totaling approximately \$126,977 which will be deposited into the General Fund.

- *D3. [Hold the second and final public hearing to adopt a resolution for a General Plan Density Map Amendment, and an ordinance for a Zoning Map Amendment and Planned Area Development for CLARENDON TOWNHOMES, located at 425 West 6th Street. The applicant is Symi Development/Catclar Investment, LLC. \(Resolution No. 2013.121 and Ordinance No. 2013.56\)](#)

Fiscal Impact: While this ordinance change does not directly impact revenue, the planned development will result in collection of the standard development fees, calculated according to the approved fee structure at the time of permit issuance.

E. Resolutions

- E1. [Adopt a resolution authorizing the Mayor to sign an intergovernmental agreement between the Maricopa County Human Services Department and the City of Tempe to implement a youth employment program at the Escalante Community Center. \(Resolution No. 2013.123\)](#)

Fiscal Impact: N/A

- E2. [Adopt a resolution authorizing the Fire Chief to execute the Subgrantee Award Agreement between the Arizona Department of Homeland Security and the City of Tempe for the purpose of accepting and spending a federal grant for the purpose of sustaining the Tempe Fire Department's component of the Rapid Response Team. \(Resolution No. 2013.124\)](#)

Fiscal Impact: The amount of the grant award is \$108,000 in federal funds. Acceptance of this grant does not require any matching City funds. This grant award will supplement the Fire Department's existing General Fund budget appropriation. Sufficient budget appropriation for expenditure of this grant was authorized in the Governmental Grants and Donations Fund (Fund 46) as part of the 2013-14 adopted budget.

- E3. [Adopt a resolution authorizing the Fire Chief to execute the Subgrantee Award Agreement between the Arizona Department of Homeland Security and the City of Tempe for the purpose of accepting and spending a federal grant for the purpose of sustaining the Tempe Fire Department's Terrorism Liaison Officer. \(Resolution No. 2013.125\)](#)

Fiscal Impact: The amount of the grant award is \$4,000 in federal funds. Acceptance of the grant does not require any matching City funds. This grant award will supplement the Fire Department's existing General Fund budget appropriation. Sufficient budget appropriation for expenditure of this grant was authorized in the Governmental Grants and Donations Fund (Fund 46) as part of the 2013-14 adopted budget.

- E4. [Adopt a resolution authorizing the Fire Chief to execute the Subgrantee Award Agreement between the Arizona Department of Homeland Security and the City of Tempe for the purpose of accepting and spending a federal grant by the Tempe Fire Department for the purchase of a hook-lift type truck to transport the East Valley All Hazards Incident Management Team. \(Resolution No. 2013.126\)](#)

Fiscal Impact: The amount of the grant award is \$216,414 in federal funds. Acceptance of the grant does not require any matching City funds. This grant award will supplement the Fire Department's existing General Fund budget appropriation. Sufficient budget appropriation for expenditure of this grant was authorized in the Governmental Grants and Donations Fund (Fund 46) as part of the 2013-14 adopted budget.

- E5. [Adopt a resolution authorizing the Fire Chief to execute the Subgrantee Award Agreement between the Arizona Department of Homeland Security and the City of Tempe for the purpose of accepting and spending a federal grant by the Tempe Fire Department for the All Hazards Incident Management Team. \(Resolution No. 2013.127\)](#)

Fiscal Impact: The amount of the grant award is \$12,000 in federal funds. Acceptance of the grant does not require any matching City funds. This grant award will supplement the Fire Department's existing General Fund budget appropriation. Sufficient budget appropriation for expenditure of this grant was authorized in the Governmental Grants and Donations Fund (Fund 46) as part of the 2013-14 adopted budget.

- E6. [Adopt a resolution decreasing the road closure fees for certain non-profit events held in the downtown area. \(Resolution No. 2013.128\)](#)

Fiscal Impact: An initial decline in road closure revenue is expected due to the fee reduction. Staff anticipates an increase in the number of events offered in the downtown area with the implementation of the new fees that will offset the initial decline in revenue.

6. CURRENT EVENTS/COUNCIL ANNOUNCEMENTS/FUTURE AGENDA ITEMS

7. PUBLIC APPEARANCES

According to the Arizona Open Meeting Law, the City Council may only discuss matters listed on this agenda. Matters discussed by the public during public appearances cannot be discussed by the City Council unless they are specifically listed on this agenda. There is a five-minute time limit per speaker. Speaker's visual aids or recorded tapes are not allowed.

Members of the public shall refrain from making personal, impertinent or slanderous remarks and from becoming boisterous while addressing the City Council or while attending the meeting. Unauthorized remarks from the audience, clapping, stomping of feet, yelling or any similar demonstrations are also prohibited. Violations of these rules may result in removal from the City Council meeting.

A. [Scheduled](#)

1. Jodi Polanski - Lost Our Home Pet Foundation

B. [Unscheduled](#)

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